



South Carolina Department of Labor, Licensing and Regulation
South Carolina Board of Nursing
P.O. Box 12367 • Columbia, SC 29211
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South Carolina Board of Nursing July 2014 Insert into the SC Nurse Newsletter

MISSION OF THE BOARD OF NURSING

The mission of the State Board of Nursing for South Carolina is the protection of public health, safety, and welfare by assuring safe and competent practice of nursing.

This mission is accomplished by assuring safe initial practice as well as continuing competency in the practice of nursing and by promoting nursing excellence in the areas of education and practice. The Board licenses qualified individuals as licensed practical nurses, registered nurses or advanced practice registered nurses. Complaints against nurses are investigated and disciplinary action taken when necessary. Schools of nursing are surveyed and approved to ensure quality education for future nurses.

COMMITTEE MEMBERS NEEDED

Nomination forms for vacancies on the Advanced Practice Committee, Advisory Committee on Nursing and Nursing Practice and Standards Committee can be found on the Board's website (www.llr.sc.gov/pol/nursing) under Applications/Forms. A list of meeting dates for this year is located in this newsletter.

ADVISORY COMMITTEE ON NURSING (ACON)

The Advisory Committee on Nursing (ACON) assists the Board with long-range planning for nursing and facilitates collaboration between education and practice. ACON meets on the third Tuesday in February, April, June and October. It meets on the last Tuesday in August and first Tuesday in December each year. There currently are positions open for two ADN Educators, a Nursing Services Administration-Mental Health Representative and an Advanced Practice Representative.

All ACON members must be currently licensed in South Carolina, practicing in the area they represent and not be under a current disciplinary order. Members are appointed by the Board for an initial term of two years with the possibility of reappointment for three years to provide for staggering of terms. All nominations, as well as requests for reappointment, are submitted to the Board for review. Members' perspectives and participation are valued and necessary for continuity, so regular committee meeting attendance is very important. If you or someone you know is interested in serving on the ACON, submit a completed nomination, form along with a curriculum vitae, to LLR-Board of Nursing, PO Box 12367, Columbia, SC 29211.

ADVANCED PRACTICE COMMITTEE (APC)

The Advanced Practice Committee (APC) is a standing, Board-appointed committee established to review current advanced registered nursing (APRN) trends and practice. APC advises the Board and nursing community on the safe and competent practice of APRNs. APC meets quarterly on the first Friday in February, May, August and November of each year. There currently is a position open for a Clinical Nurse Specialist (CNS) – Psychiatric Mental Health Representative.

All APC members must be currently licensed in South Carolina, not under a current disciplinary order, certified and practicing in the area they represent. APC members are appointed for an initial term of two years with the possibility of reappointment by the Board for three years to provide for staggering of terms. Information from all interested parties is submitted to the Board for review and appointment/reappointment. Members' perspectives and participation are valued and necessary for continuity, so regular committee meeting attendance is very important. If you or someone you know is interested in serving on the APC, submit a completed nomination form, along with a curriculum vitae, to LLR-Board of Nursing, PO Box 12367, Columbia, SC 29211.

NURSING PRACTICE AND STANDARDS COMMITTEE

The Nursing Practice and Standards Committee (NPSC) assists the Board of Nursing with issues affecting nursing practice in the state. The NPSC is charged with developing and revising advisory opinions and position statements. The NPSC meets quarterly on the third Thursday in January, April, July and October each year. There currently are positions available on NPSC for an Education Representative, a Long Term Care/Gerontology Representative, a School Health Nursing Representative, and an LPN Representative.

All NPSC members must be currently licensed in South Carolina, practicing in the area they represent and not be under a current disciplinary order. Members' perspectives and participation are valued and necessary for continuity. If you or someone you know is interested in serving on the NPSC, submit a completed nomination form, along with a curriculum vitae, to LLR-Board of Nursing, PO Box 12367, Columbia, SC 29211.

REVISED ADVISORY OPINION

At its March 2013 meeting, the Board approved revision of Advisory Opinion #60 as follows:

Advisory Opinion # 60

Formulated: November 29, 2012

Revised: March 28, 2013

Question: May an Advance Practice Registered Nurse (APRN) with prescriptive authority prescribe medications for members of his or her immediate family who do not have an established APRN/patient relationship?

Inasmuch as the Nurse Practice Act, S.C. Code Ann. §40-33-5, et seq., does not specifically address this issue, the South Carolina Board of Nursing must refer to the law governing the

prescription of medications by physicians for guidance. S.C. Code Ann. § 40-47-113 sets forth the requirement of an established physician-patient relationship as a prerequisite to prescribing drugs, in relevant part, as follows:

- (A) It is unprofessional conduct for a licensee initially to prescribe drugs to an individual without first establishing a proper physician-patient relationship. A proper relationship, at a minimum, requires that the licensee make an informed medical judgment based on the circumstances of the situation and on the licensee's training and experience and that the licensee:
 - (1) Personally perform and document an appropriate history and physical examination, make a diagnosis, and formulate a therapeutic plan;
 - (2) Discuss with the patient the diagnosis and the evidence for it, and the risks and benefits of various treatment options; and
 - (3) Ensure the availability of the licensee or coverage for the patient for appropriate follow-up care.
- (B) Notwithstanding subsection (A), a licensee may prescribe for a patient whom the licensee has not personally examined under certain circumstances including, but not limited to, writing admission orders for a newly hospitalized patient, prescribing for a patient of another licensee for whom the prescriber is taking call, prescribing for a patient examined by a licensed advanced practice registered nurse, a physician assistant, or other physician extender authorized by law and supervised by the physician, or continuing medication on a short-term basis for a new patient prior to the patient's first appointment.

The South Carolina Board of Medical Examiners (BME) previously issued an advisory opinion regarding whether a physician should prescribe for a family member. The BME's advisory opinion states:

While the Board recognizes that in certain instances a physician may need to prescribe medications for family members, the Board recognizes that such treatment may provide less than optimal care for a family member. Treatment of the immediate family members should be reserved for minor illnesses, temporary or emergency situations. Appropriate consultations should be obtained for the management of major or extended periods of illness.

State law requires the presence of a valid physician/patient relationship before any controlled substance can be prescribed. This relationship should include knowledge of the medical condition and an assessment of the benefit-risk ratio of the use of such substance. A practitioner cannot usually acquire a valid physician/patient relationship with himself or herself nor with a member of his or her immediate family for the purpose of prescribing controlled substances, due to the loss of objectivity in making the proper medical decisions.

The Board feels that prescribing controlled substances for family members is outside the scope of good medical practice in South Carolina except for a bona fide emergency situation where the health and safety of an individual may be at great detriment. A practitioner may prescribe limited amounts of controlled substances until such time as another objective practitioner can be contacted.

Appropriate records should be maintained for written prescriptions and/or administration of any Schedule II, III, IV, or V controlled substance.

The South Carolina Board of Nursing concludes that it is outside the scope of acceptable nursing practice for an APRN to prescribe medications for his or her family members outside of an established APRN/patient relationship except for a bona fide emergency situation where the health and safety of an individual may be at great detriment. Under no circumstances should an APRN prescribe medications for anyone outside his or her approved protocol or prescribe a quantity of any medication in excess of that required for a “bridge” until the family member may seek treatment from an objective care provider. For purposes of this Advisory Opinion, the Board of Nursing defines a “bridge prescription” as a one-time prescription not to exceed a ten (10) day quantity.

A licensee’s prescriptive authority may be terminated by the Board of Nursing if the licensee prescribes outside the scope of the approved written protocols, violates a provision of Section 40-33-110 or violates any state or federal law or regulations applicable to prescriptions, pursuant to S.C. Code Ann. §40-33-34(G).

This statement is an advisory opinion of the Board of Nursing as to what constitutes competent and safe nursing practice.

I RENEWED MY LICENSE: NOW WHAT?

Q: I renewed my license. Why have I not received my license card?

As of November 2009, the Board no longer issues license cards.

- 1) Licensees renewing their licenses and applicants for new licenses will be notified by the Board by e-mail or regular mail when the license has been issued. In *approximately 3 business days* after receipt of the licensure notification, Licensee Lookup at <https://verify.llronline.com/LicLookup/Nurse/Nurse.aspx?div=17> will be updated.

This information can also be viewed and printed by employers or the public. Licenses are renewed/ processed during normal business hours - 8:30 a.m. to 5 p.m. - Monday through Friday, except for designated state holidays.

Q: How can my employer verify that I have renewed my nursing license?

If you need paper evidence of your nursing license and expiration date, you may obtain this information one of two ways:

- 1) Click on Licensee Lookup on the Board of Nursing website. Enter the bare minimum information (i.e. your last/ first name or license number only [no letters like RN, R, etc.]). You may print this page. If you type information in all blocks and it is not entered 100% the way it is in our system, you will receive an error message (appearing as if the nurse doesn’t hold a license in the state).
- 2) Licensees now have the capability through LLR’s website to download and print a wallet card *as a courtesy* after the license has been issued, reinstated or renewed. The cards can be printed from your printer. You will need Adobe Reader installed on your PC to

view and print the card. For best results, use card stock instead of copy paper to print a more durable card. To print a wallet card, go to <https://eservice.llr.sc.gov/SecurePortal/Login.aspx>. Click on "Print License Card" and follow the instructions.

CHECKING A LICENSE

To check a nursing license, you may utilize one or all of the following options:

1. **SC Licensee Lookup** - Go to <https://verify.llronline.com/LicLookup/Nurse/Nurse.aspx?div=17> As you enter information, it is recommended that you enter a portion of the nurse's name only. You will be provided with the nurse's name, city and state, license number, as well as license type, date issued/expires, license status, and whether the license is multi-state or single-state.
2. **Nursys QuickConfirm** - Go to <https://www.nursys.com/> click on QuickConfirm and follow the instructions. You will be provided with the nurse's name, state of licensure, license type and number, license status, license expiration date and discipline status. The following states participate in QuickConfirm: Alaska, Arkansas, American Samoa, Arizona, California-RN, California-VN, Colorado, Connecticut, District of Columbia, Delaware, Florida, Guam, Iowa, Idaho, Illinois, Indiana, Kansas, Kentucky, Louisiana-RN, Massachusetts, Maryland, Maine, Michigan, Minnesota, Missouri, Northern Mariana Islands, Mississippi, Montana, North Carolina, North Dakota, Nebraska, New Hampshire, New Jersey, New Mexico, Nevada, New York, Ohio, Oregon, Pennsylvania, Rhode Island, **South Carolina**, South Dakota, Tennessee, Texas, Utah, Virginia, Virgin Islands, Vermont, Washington, Wisconsin, West Virginia-PN, West Virginia-RN, and Wyoming. *Go to NCSBN.org for updates as states are added.*
3. **Other States** - Most states have licensee lookup/licensure verification on their websites. Links to boards of nursing can be found at www.ncsbn.org.

You may check for discipline against a South Carolina nursing license on the Board's website at www.llr.sc.gov/pol/nursing/ under Board Orders.

CHANGING A NAME ON A LICENSE

Section 40-33-36 (B) of the South Carolina Code of Laws (Nurse Practice Act) states "A license must be issued in the person's legal name as verified by a birth certificate or other legal document acceptable to the board. If a licensee changes her or his name after a license has been issued, notification of the change must be filed with the board within fifteen business days, [emphasis added] accompanied by a copy of the legal document that authorizes the change. A licensee's name may not be changed on a record in the office of the board without written authorization for the change and an adequate identification of the applicant."

If you have had a legal name change, submit your written request along with a copy of the legal document(s) (copy of marriage certificate, divorce decree, court order, etc.), to the LLR – Board of Nursing, Post Office Box 12367, Columbia, SC 29211. Include current name as shown on your nursing license as well as nursing license number in your request. Please indicate whether you will use your middle name or maiden name for your middle initial or if you wish to hyphenate

your name. For example, if Jane Ann Doe marries John Smith will she use Jane Ann Smith, Jane Doe Smith, Jane Ann Doe Smith, or Jane Ann Doe-Smith? Your request will be processed within five business days of receipt in Board offices and will be reflected on Licensee Lookup within three to five business days after the change is made.

You may verify that your name change request has been processed on Licensee Lookup on the Board's website (www.llr.state.sc.us/pol/nursing/). When utilizing Licensee Lookup, you do not have to enter complete names. For example, "J" and "Smith" will search for records with a last name of "Smith" and a first name beginning with "J." Refer to Section 04-33-36(B) of the Nurse Practice Act regarding statutory requirements for your name on your license. You may view the Nurse Practice Act – Chapter 33 located under Law/Policies on the Board's website.

UPDATING YOUR ADDRESS

Section 40-33-38(C) of the South Carolina Code of Laws (Nurse Practice Act) requires that *all* licensees notify the Board *in writing* within 15 business days of *any* address change. Notify the Board *immediately* whenever you change your address as failure to notify the Board of an address change, may result in disciplinary action from the Board. You may change your address online utilizing the address change form under Online Services found on the Board's website.

Note: *Changing your address with the South Carolina Nurses Association (SCNA) does not change your address on your licensing records with the South Carolina State Board of Nursing.*

Q: How does changing my address affect my compact licensure status?

Section 40-33-38(C) of the South Carolina Code of Laws (Nurse Practice Act) requires that *all* licensees notify the Board *in writing* within 15 business days of *any* address change.

Compact licensure is based on primary state of residence. Regulation 91-2(A)(3) defines 'Primary state of residence' as "person's declared fixed permanent and principal home for legal purposes; domicile". Sources of proof that boards of nursing may use to verify primary residence include, *but are not limited to*: 1) Driver's license with home address; 2) Voter registration card displaying home address; 3) Federal income tax return declaring the primary state of residence. 4) Military Form # 2058 - state of legal residence certificate; or 5) W2 from US Government or any bureau, division or agency thereof indicating the declared state of residence.

If you are moving within the state of South Carolina, there is no change in your multistate licensure status. If you change your **primary state** of residence, whether to another Compact state or to a Non-Compact state, you must contact that state's board of nursing and obtain a nursing license in that state. Compact states have time frames in which you can practice while awaiting your new state license. This information can be found on the National Council of State Boards of Nursing (NCSBN) website (www.ncsbn.org). In addition, you will need to complete and submit a Declaration of Primary State of Residence form located on the Board's website under applications and forms.

Note: Advanced Practice Registered Nurses (APRN) are not part of the Compact; however, the South Carolina APRN license includes an RN license. If a South Carolina APRN has declared

South Carolina as his or her primary state of residence and is not under discipline, the RN portion of the SC APRN license is multistate and allows practice as an RN in other Compact states. The same rules apply for changing your address.

More information on the Nurse Licensure Compact (NLC) can be found on the Board's website (llr.sc.gov/pol/nursing) as well as on the National Council of State Boards of Nursing (NCSBN) website (www.ncsbn.org). The NCSBN website also contains a list of Compact states. Compact laws can be found in Article 15 of the Nurse Practice Act - Chapter 33 and in the Regulations - Chapter 91. Both of these documents can be found under Laws/Policies on the Board's website.

BOARD MEMBERS

Samuel H. McNutt, RN, CRNA, MHSA, Congressional District 5 - *President*
Carol A. Moody, RN, MAS, NEA-BC, Congressional District 4 - *Vice President*
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Anne Crook, PhD, Public Member
James E. Mallory, EdD, Public Member
Vacant, (2) Licensed Practical Nurses At Large

Vacancies: [See Section 40-33-10(A) of the Nurse Practice Act for prerequisites and requirements]

S.C. BOARD OF NURSING CONTACT INFORMATION:

Main Telephone Line	(803) 896-4550
Fax Line	(803) 896-4515
General Email	nurseboard@llr.sc.gov
Website	www.llr.sc.gov/pol/nursing/
Business Hours	8:30 a.m. to 5 p.m. Monday through Friday

* Offices are closed for holidays designated by the state.

The Board of Nursing is located at Synergy Business Park, Kingstree Building, 110 Centerview Drive, Suite 202, Columbia, SC 29210. Directions to the office can be found on the website - www.llr.sc.gov - at the bottom of the page.

The Board's mailing address is LLR - Office of Board Services - SC Board of Nursing, Post Office Box 12367, Columbia, SC 29211-2367.

BOARD OF NURSING ADMINISTRATION

Nancy G. Murphy, Administrator nancy.murphy@llr.sc.gov

OFFICE OF INVESTIGATIONS AND ENFORCEMENT

Main Telephone Line (803) 896-4470

WEBSITE: www.llr.sc.gov/pol/nursing/

The Board of Nursing Website contains the Nurse Practice Act (Chapter 33-Laws Governing Nursing in South Carolina), Regulations (Chapter 91), Compact Information, Advisory Opinions, Licensure Applications, Continued Competency Requirements/Criteria, Application Status, Licensee Lookup, Disciplinary Actions, and other helpful information. All nurses are encouraged to visit the website *at least* monthly for up-to-date information.

Board of Nursing Meeting Calendar for 2014

Board and Committee meeting agendas are posted on the Board's website at least 24 hours prior to meeting.

<u>Board of Nursing Meeting</u>	July 23-25, 2014
<u>Board of Nursing Meeting</u>	September 25-26, 2014
<u>Board of Nursing Meeting</u>	November 20-21, 2014
Advanced Practice Committee	August 1, 2014
Advanced Practice Committee	November 7, 2014
Advisory Committee on Nursing	August 26, 2014
Advisory Committee on Nursing	October 21, 2014
Advisory Committee on Nursing	December 2, 2014
Nursing Practice & Standards Committee	July 10, 2014
Nursing Practice & Standards Committee	October 9, 2014

<u>Designated 2014 State Holidays</u>	<u>Observed On</u>
Independence Day	July 4, 2014
Labor Day	September 1, 2014
Veterans Day	November 11, 2014
Thanksgiving Day	November 27, 2014
Day After Thanksgiving	November 28, 2014
Christmas Eve	December 24, 2014
Christmas Day	December 25, 2014
Day After Christmas	December 26, 2014